



General Assembly

January Session, 2017

Raised Bill No. 7080

LCO No. 3921



Referred to Committee on JUDICIARY

Introduced by:
(JUD)

***AN ACT CONCERNING LEGAL PROTECTIONS FOR PERSONS
ENTERING PASSENGER MOTOR VEHICLES TO RENDER
EMERGENCY ASSISTANCE TO CHILDREN.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

- 1 Section 1. (NEW) (*Effective October 1, 2017*) (a) Notwithstanding any
2 provision of the general statutes, a person who enters the passenger
3 motor vehicle of another, including entry by force, to remove a child
4 from the passenger motor vehicle shall have an affirmative defense
5 against any civil damages or criminal penalties resulting from the acts
6 or omissions by such person in removing the child from the passenger
7 motor vehicle, if such person:
- 8 (1) Has a reasonable belief, at the time such person enters the
9 passenger motor vehicle, that such entry is necessary to remove the
10 child from imminent danger of serious bodily injury;
- 11 (2) Uses no more force than reasonably necessary under the
12 circumstances to enter the passenger motor vehicle to remove the child
13 from imminent danger of serious bodily injury based upon the

14 circumstances known by such person at the time;

15 (3) Reports the entry and the circumstances surrounding such entry
16 to a law enforcement agency or other public safety agency within a
17 reasonable period of time after entering the passenger motor vehicle;
18 and

19 (4) Takes reasonable steps to ensure the safety, health and well-
20 being of the child after removing the child from the passenger motor
21 vehicle.

22 (b) The affirmative defense provided in subsection (a) of this section
23 shall not apply to acts or omissions constituting gross, wilful or
24 wanton negligence.

25 (c) Nothing in this section shall affect a person's civil liability if the
26 person attempts to render aid to the child in addition to the aid that is
27 authorized under this section.

28 (d) The provisions of this section are not exclusive, and the
29 affirmative defense shall be in addition to any other defenses or
30 immunities provided by state or federal law or which are available
31 under common law.

32 (e) As used in this section, "passenger motor vehicle" has the same
33 meaning as provided in section 14-1 of the general statutes and "public
34 safety agency" has the same meaning as provided in section 28-25 of
35 the general statutes.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2017	New section

Statement of Purpose:

To provide legal protections to a person who enters the passenger motor vehicle of another to rescue a child who is reasonably believed to be in imminent danger of serious bodily injury.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]